



SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

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June 27, 2006

MEMORANDUM

TO: Kami Griffin, Supervising Planner

FROM: Richard Marshall, Development Services Engineer *RM*

SUBJECT: Initiative Measure – Dalidio Ranch Project

Thank you for the opportunity to review and comment on the subject project. I offer the following information in response.

Contact Person: Richard Marshall, County Government Center Room 207,
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Permits or other authorizations from County Public Works

1. **Drainage and flood hazard review.** This office would normally perform a review of the drainage requirements associated with the building and grading permits for any construction project, under the requirements of Section 22.52.080 of the Land Use Ordinance. The Initiative Measure says that no provisions of Title 22, other than those contained in the new Chapter 22.113 that it proposes, shall be applicable, so maybe our standard “ministerial” drainage review would not occur. However, there is a provision that the grading and building standards of Title 19 would apply; Section 19.20.040 provides for drainage review under the provisions of the requirements in Title 22. Therefore, it is not clear whether this “authorization” from Public Works would be necessary. If it is determined to be necessary, it does need to occur prior to the issuance of construction permits for either structures or grading.

Additionally, drainage design should be undertaken in context of the San Luis Obispo Creek Watershed Drainage Design Manual. This document was developed jointly by the County and the City, to provide criteria and planning procedures for floodplains, waterways, channels and culverts in the San Luis Obispo Creek watershed (which includes this site), which comprises Zone 9 of the San Luis Obispo County Flood Control and Water Conservation District. The guidelines and procedures were developed in cooperation with federal and state regulatory agencies, in order to streamline environmental permitting processes.

This office would also normally perform a review of the flood hazard requirements associated with the building and grading permits for any construction project, under the requirements of Section 22.14.060 of the Land Use Ordinance. The same considerations about the Initiative Measure's references to Title 22 and Title 19 would apply to this, except that Title 19 does not include any provision for flood hazard review incorporating this portion of Title 22 by reference. Therefore, it appears that no flood hazard review by this office would be able to be performed. This review is the County's implementation of federal regulations for the National Flood Insurance Program. The federal agencies who oversee our implementation of this program might have some concerns about this review not occurring. A possible result of this concern, albeit extreme, would be to place the County's flood hazard program in jeopardy, possibly affecting the ability of property owners throughout the County to obtain flood insurance for their properties.

2. **Road improvements.** This office would normally perform a review of improvement plans associated with road improvements internal to, and fronting, a development site, as a function of conditions of approval on discretionary land use and subdivision applications, and various provisions of Title 22, the Land Use Ordinance. The Initiative Measure includes a proposed Section 22.113.50 which says that "all streets intended for public dedication shall be constructed to County public road standards." The section does not say anything about our normal plancheck process, nor about any requirement for certification upon completion of improvements, nor about relating the timing of occupancy of new structures to completion of these improvements, as we would usually recommend in condition language. Proposed Section 22.113.020 includes the provision, "no additional approvals ... including but not limited to departmental review approval ... shall be required by the County to develop the project described in such application." This appears to imply that we would not perform our normal review of road improvements associated with the construction of the development project.

Assuming improvements are to occur along the project's frontage on Madonna Road, (although this is not spelled out anywhere in the Initiative Measure), that is a City-maintained street and that work would require an encroachment permit from the City of San Luis Obispo Public Works Department. There is no guarantee that the City might not establish additional requirements as a function of their permit.

Both City and County Public Works Departments usually would require the approval of improvement plans, and the posting of performance bonds, prior to the issuance of construction permits. It is not clear to this office whether that sequence would apply to this project or not.

There is one specific concern about maintaining access to the Embassy Suites hotel, which is located at the current end of Dalidio Drive. There will need to be some arrangement to perpetuate access to that site if the roadway is realigned as the figures indicate.

3. **Water and wastewater service.** The County Public Works Department will not be involved in the provision of these services. Other than the installation of infrastructure within the scope of the road improvements noted in item b above, this office would not be involved in the permitting or authorization of these services. It is our assumption that you will hear from other agencies regarding needed water and wastewater treatment, and reclamation, permits.

Additional comments on the Initiative Measure

1. There are numerous places within the document where there is a reference to “maximum coverage,” but this term is not defined. I infer that it has to do with coverage of the site with impervious surfaces, but I find that several of the proposed zoning standards appear to allow 100% coverage! This would pose a significant drainage concern, and pass up the potential ability to achieve the storm water quality requirements which are contained in items 16-22 of the Conditions of Approval. (In fact, it is in direct contradiction to Condition 16.)
2. There are numerous places within the document which include Temporary Events among the allowable land uses, but there is no discussion of how large, how often, or when (time of day/day of week) these might occur. Significantly large events could have major impacts on traffic and circulation, among other concerns.
3. The proposed zoning standards for the Dalidio Community Facility (DCF) subarea appears to not require any “setback” for the uses allowed, including water and wastewater treatment facilities. I am sure there are many concerns associated with these type of facilities, such as noise, odors, etc. which would necessitate some separation from surrounding uses.
4. Two elements of the Initiative Measure are internally inconsistent: (1) In Conforming General Plan Amendment 11, the proposed amended language for the Circulation chapter says, “as part of any proposal to further develop the Dalidio-Madonna-McBridge (sic) areas, the alignment and design of a road connecting Prado Road with Los Osos Valley Road should [be] evaluated and established. The Dalidio Ranch Land Use Category ... meets these criteria because the plan contemplates a connection of Calle Joaquin ...” In other words, the text of the Circulation chapter would say that an extension of Calle Joaquin will go from Los Osos Valley Road to Prado Road (Dalidio Drive). (2) However, the proposed site layout shows the connection of Calle Joaquin from Los Osos Valley Road to Madonna Road. There is no direct connection between Calle Joaquin and Prado/Dalidio, other than Madonna Road or parking lot aisles.

A more fundamental problem exists with this circulation concept, however: the most-recently approved development in the City will terminate Calle Joaquin in a culdesac, due to concerns about traffic operations in the vicinity of the Los Osos Valley Road interchange. Therefore, an extension of it to any portion of the Dalidio Ranch site will not be possible.

5. In the Conditions of Approval, the first four conditions are represented as “Traffic Related Commitments.” None of the proposed “commitments” is at all realistic.

Timing. In each case, at the time of receiving occupancy of the first structure on the site (which could be a 140,000 square foot regional-draw retail store), the developer deposits a sum of money into an escrow account. That then begins a timeframe within which Caltrans (in the case of the Prado Road interchange) or the City of San Luis Obispo (in the case of Calle Joaquin extension and two offsite intersections) must put all other existing work aside and prioritize the improvements for the benefit of this individual private development. Caltrans does not provide the service of designing and constructing new interchanges for the benefit of private development; it is more typical for the developer to

prepare the design and go through Caltrans' approval process. If Caltrans does not act within the 10-year time frame for the interchange project, the funds would revert to the County to continue implementing this project. For the improvements to City facilities, if the City does not act within **one year** of the developer's deposit, they would lose the money altogether.

Financial concerns. There is no documentation that the amounts specified are anywhere near the amount appropriately associated with this development. There is no information about where these other agencies are expected to come up with the rest of the needed funding for the improvements described. A summary of potential infrastructure costs (transportation and flood control) is attached to this memo, which also discusses the "gap" between what is proposed in the Initiative Measure and what is likely to be needed. The figures in the summary represent our best estimate of current (2006) costs, based on a two-year old Project Study Report for Prado interchange, as well as our own recent experience with interchange projects in Templeton.

Sufficiency of mitigation. There is no analysis of how traffic will operate during the time in which the new structures are open for business but the improvements have not been built yet. There is no evidence that these are all the improvements that are sufficient to address this development's project-specific impacts, nor to mitigate its share of cumulative impacts. For example, there will undoubtedly be a significant contribution of traffic from this development to the Los Osos Valley Road interchange, and many other land use and subdivision projects in the area are contributing their share to the needed improvement of this facility.

I look forward to continuing to work with you on this project as it moves forward. Please call me at 781-5280 if you have questions or need additional information.

Attachment: Dalidio Ranch Development – Initiative Mitigation Review

File: Planned Developments - Dalidio Ranch

cc: Board of Supervisors (5)
David Edge, County Administrative Officer
Tim Bochum, City Public Works

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